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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,651	08/18/1999	NOBORU AOYAMA	JA9-98-073	6743

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EXAMINER

CONE, DARIUS N

ART UNIT	PAPER NUMBER
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2854

28

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/376,651

Applicant(s)

AOYAMA, NOBORU

Examiner

Darius N. Cone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5, 12, 14, 21, 26, 28 and 31 is/are allowed.
- 6) ☒ Claim(s) 2, 4, 6-11, 13, 15-18, 20, 22-25, 29, 30 and 32-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2, 10, 11, 18, 23-25, 27, 29, 30 and 32-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Sone (JP patent # 2-81842).

With respect to claims 2, ~~3~~, 10 and 18, Sone teaches a medium feeding apparatus consisting of a shaft 13, feed assistance member 14 rotatably mounted to shaft 13 positioned to contact the medium applying pressure increasing a frictional force on the medium in the path to stabilize the medium being aligned the path by at least one align roller (see page 6, lines 9-20, line 26; page 7, lines 1-9 of the translation to Sone). Also as shown in Figs. 1 & 4 the feed assistance roller 14, is not vertically aligned with any roller and is in a position between one lateral align roller and one vertical align roller.

With respect to claims 23 and 25, Sone teaches feed assistance member 14 aligned in a vertical direction with respect to medium movement (see Figs. 1 & 4; page 6, lines 9-20, line 26; page 7, lines 1-9).

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With respect to claims 32, 34 and 36, Sone teaches the feed assistance member 14 rotating and applying pressure to the medium in response to contacting the medium being moved by the align roller (see Figs. 1 and 4, page 6, lines 9-20, line 26; page 7, lines 1-9).

With respect to claims 9, 11 & 24, Sone teaches a paper feeder of a sheet-fed photogravure press, which feeds paper.

With respect to claim 27, 29, 30, 33, 35 and 37 Sone teaches the feed assistance member applying pressure to the medium in response to contacting the medium. Sone also teach the feed assistance member being able to be out of contact position.

Claim Rejections - 35 USC 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims ~~4~~, 6-9, 13, 15-17, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sone (JP patent # 2- 81842) in view of DeFalco et al. (US patent # 5,088,848).

With respect to claims 13 & 22, Sone teaches all that is claimed, as discussed in the above rejection of claims 2, 3, 10, 12, 18 and 21, except for rollers with a non-

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circular cross section. De Falco et al. teach feed rollers 55, 46 (see Fig. 1). It would be obvious to one ordinary skilled in the art of printing to provide lobed rollers used to increase accuracy when aligning a sheet correctly with respect to the printing direction.

With respect to claims 6, 15 & 20, Sone teaches all that is claimed, as discussed in the above rejection of claims 2, 3, 10, 12, 18 and 21, except for two brackets including grooves, wherein the shaft is disposed in the grooves. De Falco teaches brackets 60 for align roller (59) along with shafts disposed in the grooves of bracket 60, which are freely rotate and moved by force of the print medium. It would have been obvious to one ordinary skilled in the art to use an idler roller (59), supported in a bracket to increase rotation created by the feeding of the sheet along the printing path for feeding record mediums of different thicknesses or cut sheets thereby securing tight contact between the roller and the record medium to ensure proper alignment for a high quality of printing (see De Falco, col. 2, lines 49-65, Fig. 3).

With respect to claims 7 and 16, Sone teaches all that is claimed, as discussed in the above rejection of claims 2, 3, 10, 12, 18 and 21, except for the weight of feed assistance member being applied to the medium. De Falco et al. teach the weight of feed assistance rollers 45, 47 and 49 being applied to a medium (see De Falco et al., col. 2, lines 45-49). It would be obvious to one ordinary skilled in the art that the total weight of the feed assistance rollers be applied to move a medium increasing feeding accuracy in the direction of printing.

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With respect to claims 8 & 17, Sone teaches all that is claimed, as discussed in the above rejection of claims 2, 3, 10, 12, 18 and 21, except for a spring for urging the feed assistance roller onto the medium. De Falco et al. teach a load exerted by spring 65 being exerted on support 60. It would be obvious to one ordinary skilled in the art to use a spring to generate a force to urge the rollers towards and away from the print medium for effective delivering and feeding towards the print zone.

With respect to claim 9, Sone and De Falco et al. teach paper as the medium used to print, making it obvious to one ordinary skilled in the art to use a well known source of printing medium.

Allowable Subject Matter

Claim 3, 4, 5, 12, 14, 21, 26, 28 and 31 are allowed.

Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 19 has been indicated for allowance because the prior art fails to teach a member portion which is non-rotatable.

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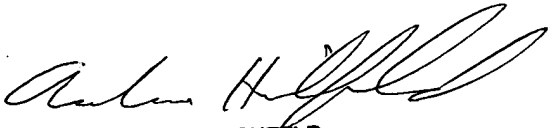
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darius N. Cone whose telephone number is (703) 308-1061. The examiner can normally be reached on 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

DNC

July 1, 2002



ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800